

## **232.7102**

### **232.7102 Contract clause.**

Use the clause at 252.232-7010, Levies on Contract Payments, in all solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items.

[71 FR 69492, Dec. 1, 2006, as amended at 78 FR 37989, June 25, 2013]

### **SUBPART 232.72—Payment in local currency (Afghanistan)**

SOURCE: 79 FR 58695, Sept. 30, 2014, unless otherwise noted.

#### **232.7200 Scope of subpart.**

This subpart prescribes policies and procedures concerning the payment of contracts for performance in Afghanistan.

#### **232.7201 Policy and procedures.**

Payment currency used for contracts performed in Afghanistan shall be dependent on the nationality of the vendor pursuant to the authority of USCENTCOM Fragmentary Orders (FRAGOs) 09-1567 and 10-143. If the contract is awarded to a host nation vendor (Afghan), the contractor will be paid in Afghani (local currency) via electronic funds transfer to a local (Afghan) banking institution. Contracts shall not be awarded to host nation vendors who do not bank locally. If awarded to other than a host nation vendor, the contract will be awarded in U.S. dollars.

#### **232.7202 Solicitation provision.**

Use the provision at 252.232-7014, Notification of Payment in Local Currency (Afghanistan), in all solicitations, including solicitations using FAR part 12 procedures for the acquisition of commercial items, for performance in Afghanistan.

## **PART 233—PROTESTS, DISPUTES, AND APPEALS**

### **Subpart 233.1—Protests**

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233.170 Briefing requirement for protested acquisitions valued at \$1 billion or more.

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### **Subpart 233.2—Disputes and Appeals**

233.204-70 Limitations on payment.

233.210 Contracting officer's authority.

233.215 Contract clause.

233.215-70 Additional contract clause.

AUTHORITY: 41 U.S.C. 1303 and 48 CFR chapter 1.

SOURCE: 56 FR 36416, July 31, 1991, unless otherwise noted.

### **Subpart 233.1—Protests**

#### **233.102 General.**

If the Government exercises the authority provided in 239.7305(d) to limit disclosure of information, no action undertaken by the Government under such authority shall be subject to review in a bid protest before the Government Accountability Office or in any Federal court (see subpart 239.73).

[78 FR 69271, Nov. 18, 2013]

#### **233.170 Briefing requirement for protested acquisitions valued at \$1 billion or more.**

Follow the procedures at PGI 233.170 for briefing protested acquisitions valued at \$1 billion or more.

[76 FR 3537, Jan. 20, 2011]

### **Subpart 233.2—Disputes and Appeals**

#### **233.204-70 Limitations on payment.**

See 10 U.S.C. 2410(b) for limitations on Congressionally directed payment of a claim under 41 U.S.C. chapter 71 (Contract Disputes), a request for equitable adjustment to contract terms, or a request for relief under Pub. L. 85-804.

[63 FR 11537, Mar. 9, 1998, as amended at 77 FR 35881, June 15, 2012]

#### **233.210 Contracting officer's authority.**

See PGI 233.210 for guidance on reviewing a contractor's claim.

[72 FR 6485, Feb. 12, 2007]

#### **233.215 Contract clause.**

Use Alternate I of the clause at FAR 52.233-1, Disputes, when—

- (1) The acquisition is for—
  - (i) Aircraft